

To: Seneca, Roy[Seneca.Roy@epa.gov]
From: Gundersen, Jennifer
Sent: Thur 1/16/2014 3:26:33 PM
Subject: RE: EPA Mid-Atlantic Region Headlines - Thursday, January 16, 2014

That bit seems to be embedded in the middle of the one the headline linked to today. Interesting to read the comments below the article!

I'm ready to run samples- as are the other analysts down here in Ft Meade- but no one is sending us any...that's why I was very interested in how it's being reported.

Thanks

Jennie

From: Seneca, Roy
Sent: Thursday, January 16, 2014 9:49 AM
To: Gundersen, Jennifer
Subject: RE: EPA Mid-Atlantic Region Headlines - Thursday, January 16, 2014

Thanks Jennifer – I probably should have deleted that article. It was an article posted yesterday afternoon that was updated and replaced.

From: Gundersen, Jennifer
Sent: Thursday, January 16, 2014 9:42 AM
To: Seneca, Roy
Subject: RE: EPA Mid-Atlantic Region Headlines - Thursday, January 16, 2014

Hi Roy

The link to

[EPAs role in response to chemical spill minimal](#)

Seems wrong...it goes to the article above it in the list

Thanks

Jennie

~~~~~  
Jennifer L. Gundersen, Ph.D.

Chemist

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**From:** Seneca, Roy

**Sent:** Thursday, January 16, 2014 9:29 AM

**To:** R3 EVERYONE; Howell, Amie; Kline, James

**Subject:** EPA Mid-Atlantic Region Headlines - Thursday, January 16, 2014

# **EPA Mid-Atlantic Region Headlines**

**Thursday, January 16, 2014**

**\*\*\* DAILY HOT LIST \*\*\***

## **EPA: Spill size not yet known**

CHARLESTON GAZETTE CHARLESTON, W.Va. -- Government investigators are still trying to determine exactly how much of a toxic chemical that spilled at the Freedom Industries tank farm along the Elk River soaked into the ground and could later leach into the river, a top U.S. Environmental Protection Agency official said Wednesday evening. "An investigation is going on to figure out where there might be any materials in the ground and, so far, that investigation is still going on," EPA regional administrator Shawn Garvin told the Charleston on Wednesday. Asked if that meant officials simply don't know how much of the "Crude MCHM" is still in the soil and could reach the river without proper containment and cleanup measures, Garvin said, "I think that's probably . . . we're still investigating to ensure we have a complete answer to that." Garvin praised West Virginia officials and other federal agencies for what he said was a "swift" response to the spill. "Clearly, if you've got a drinking water system that serves up to 300,000 people that is compromised, it's a fairly serious incident," he said. "That's why we got engaged as quickly as we could." Initially, Garvin said he thought officials had a "pretty good handle" on what he called "source control." Asked if that meant investigators knew how much material had leaked and had been able to ensure that no more of it would ever reach the Elk River or the West Virginia American Water intake 1.5 miles downstream, Garvin offered a more complicated answer. "There's a lot of activity on the ground, with creating trenches," he said. "There's also boring going on and other things going on to get a handle on answering the question that you have raised, to see how much we can tell that might be in the ground that has the potential of leaching out into the water body." Randy Huffman, secretary of the West Virginia Department of Environmental Protection, said later that he agreed with Garvin. "We don't know exactly. Maybe it's not clear is the right word," Huffman said. "The response to that is continued remediation efforts, which we're going to ensure continues to take place." Huffman added, "I can say for certainty that the state of West Virginia is not going to abandon that site or abandon the remediation efforts until there is 100-percent certainty that the risk of this stuff getting back in the water has been eliminated -- not just minimized. "I know what my boss is going to say about that, and I think I can make that statement," said Huffman, who is a gubernatorial appointee. "We just can't have that possibility existing." Asked how long that kind of a cleanup would take, Huffman said, "That's likely the multimillion-dollar question, I think." Huffman also said Wednesday that a trench dug on the site to try to block water runoff from the operation had been filling with water, which officials believe might have been coming from a water line leak along Barlow Drive. West Virginia American Water replaced a line Wednesday to fix that problem, Huffman said. Garvin's remarks Wednesday evening were the EPA's first significant public comments about the spill a week ago that fouled drinking water supplies for 300,000 people across a nine-county region around Charleston.

## **Rahall, Capito push for hearing on spill**

PARKERSBURG NEWS AND SENTINEL WASHINGTON - Two representatives from West Virginia are asking for a congressional hearing on the chemical spill in Kanawha County that disrupted water service to 300,000 customers in nine counties. The request was by Rep. Nick Rahall, D-3rd, and Rep. Shelley Moore Capito, R-2nd, to the House Transportation and Infrastructure Committee. Rahall is the ranking Democrat on the Transportation Committee, which has jurisdiction over emergency response, the Clean Water Act and the Corps of

Engineers. The leak occurred last week at the Freedom Industries coal preparation plant on the Elk River, about 2 miles upstream from a West Virginia American Water Co. treatment plant. A state of emergency was declared, residents were told not to drink, wash or cook with the water. Some restrictions were lifted and an investigation is underway. Capito also is a member of the House Transportation and Infrastructure Committee. "I'm pleased that Chairman (Bill) Shuster has agreed to hold this hearing, and a date and a witness list will be released in the coming weeks," she said.

## **Lancaster County sewage plants forced to undergo upgrades to clean up Chesapeake Bay**

LANCASTER NEWSPAPERS Usually when Lancaster County is mentioned in relation to the Chesapeake Bay, it's as the bad guy. Whether it's federal authorities cracking down on farmers or urban stormwater runoff, the headlines often center on pollution harming the nation's largest estuary. Now, there's some good news to report. Four of the county's municipally-owned sewage plants have spent nearly \$27 million in upgrades since 2010, resulting in dramatic reductions in discharges of nitrogen, one of the most harmful pollutants to the Bay. Manheim Borough, for example, released 28,000 less pounds of nitrogen into Chiques Creek in 2012 than it did the year before, a whopping 68 percent reduction. That follows a \$14 million plant upgrade completed in 2011. "Nobody wants to spend money, but when you have results and you see what you're doing for the environment, at the end of the day it's worth it," says Dave Fenicle, the Manheim Borough Authority's head of its water and sewer department. Other municipalities can boast similar stellar report cards. Mount Joy Borough's sewage-treatment plant discharged 60 percent less nitrogen in 2012 than it did in 2010. The borough finished a \$4.5 million addition to its plant in late 2010. After a modest \$1 million upgrade to its sewage plant, New Holland's releases of the nutrient into Mill Creek fell 54 percent from 2011 to 2012. Some \$7.2 million in changes to its sewage plant enabled Ephrata Borough to cut its nitrogen loads in half in just over a year. "The (state) Department of Environmental Protection is pleased to see the nitrogen reductions among point sources in the Chesapeake Bay watershed," said DEP spokeswoman Amanda Witman when asked about the significant reductions here. Also pleased is the federal Environmental Protection Agency, which dropped its "increased oversight" scrutiny it had been leveled on Pennsylvania. And a national environmental group, the Environmental Integrity Project, lauded Pennsylvania, as well as Virginia, for their "significant progress" in reducing nitrogen pollution from industrial facilities and sewage plants. To be sure, the local cleanups come with state and federal officials holding a gun to their heads.

## **Municipalities ask court to let drilling ruling stand**

PITTSBURGH POST-GAZETTE South Fayette and six other Pennsylvania municipalities have asked the state Supreme Court to deny a Corbett administration request to reconsider its order declaring unconstitutional the "drill anywhere" provision of the state's oil and gas law. The municipalities say in a 15-page response filed Wednesday that the court's Dec. 19 decision was based on a purely legal determination that the law's provisions overriding local zoning were unconstitutional. They further say there is no need to review additional factual evidence and findings that the state Department of Environmental Protection and the Public Utility Commission now want to introduce on appeal. "This wasn't a factual case with evidence," said

John Smith, co-counsel for the municipalities. "It was a pure matter of law and they even argued that, to the Commonwealth Court, that the factual record was of no relevance." In an appeal filed Jan. 2, those state entities and the governor's Office of General Counsel asked the Supreme Court for an opportunity to re-argue the case and introduce new evidence. In filing for the appeal, the Public Utility Commission and DEP asked that the case be returned to Commonwealth Court for development of the evidentiary record. "They've lost on the law question, so now they want to re-argue on the facts," Mr. Smith said. The municipalities also quote the Supreme Court opinion that states Act 13 did not pass constitutional muster because "constitutional commands regarding municipalities' obligations and duties to their citizens cannot be abrogated by statute." The municipalities' response states the Supreme Court based its decision on the "plain language" of the state constitution's Environmental Rights Amendment, which has been part of the constitution for more than 40 years. Mr. Smith said that although factual evidence was not required by either the Commonwealth or Supreme courts, the municipalities' original filing, appealing Act 13, contained hundreds of photographs of well sites near residences and documents, including medical and toxicological studies and affidavits, accident reports, drilling impact analysis and newspaper articles. The municipalities' response also questioned whether the state Office of General Counsel, which represents the governor, and the DEP have standing to appeal the Supreme Court's decision. It states that defending the constitutionality of the state's laws is the job of the state attorney general, but that office is not part of the appeal. As for the DEP, the response notes that, "... the DEP is charged with protecting the Commonwealth's environment, yet rather than defend its Section 27 (Environmental Rights) fiduciary duties, Agencies seek to undermine their constitutional role." A spokesman for Gov. Tom Corbett could not be reached.

## **Company behind W.Va. spill faulted at backup site, too**

ASSOCIATED PRESS CHARLESTON, W.Va. — The company responsible for the chemical spill in West Virginia moved its chemicals to a nearby plant that already has been cited for safety violations, including for a backup containment wall that had holes in it. As a result, state officials might force the company to move the chemicals to a third site. Inspectors on Monday found five safety violations at Freedom Industries' storage facility in Nitro, about 10 miles from the spill site in Charleston. The spill contaminated the drinking water for 300,000 people, and about half of them were still waiting yesterday for officials to lift the ban on tap water. The West Virginia Bureau for Public Health issued a statement yesterday evening advising pregnant women not to drink the water "until there are no longer detectable levels" of 4-methylcyclohexane methanol, a chemical used in coal processing. The statement said the agency was making the recommendation "out of an abundance of caution" after consulting with the U.S. Centers for Disease Control and Prevention. The state Department of Environmental Protection ordered Freedom Industries on Friday to move all of its chemicals to the Nitro site. According to a report from the department, inspectors found that, like the Charleston facility, the Nitro site's last-resort containment wall had holes. The report described the site's wall as "deteriorated or nonexistent." Freedom Industries said the building's walls acted as a secondary containment dike, but state inspectors disagreed. The walls had holes in them near ground level, and the holes lead out to a storm-water trench surrounding the structure's exterior, the report said. The facility had no documentation of inspections of the Nitro site. Nor did it have proof of employee training in the past 10 years, the report said. Environmental Protection spokesman Tom Aluisse said the

state could force Freedom to move the chemicals to a third site, or to build secondary containment structures at the Nitro facility. He said the department will issue an administrative order this morning detailing what will be required. A spokeswoman for Freedom Industries said the company didn't want to comment. Keith Beneker, the Nitro plant manager, did not answer a phone call.

## **Pa. Democrats running for governor try to out-green one another**

WHYY NEWSWORKS Eight Democratic candidates for Pennsylvania governor sought to out-green one another last night at a debate focused on environmental sustainability. Some candidates promised not to take any campaign money from the natural gas industry. Others swore they'd put a moratorium on drilling in areas of the Marcellus Shale. And, of course, they blasted the incumbent, Republican Gov. Tom Corbett. Corbett was invited to, but did not attend, the event, which was held at Philadelphia's Academy of Natural Sciences of Drexel University and moderated by WHYY-FM senior reporter Dave Davies. Overall, there was very little disagreement on policy matters. The candidates sought to distinguish themselves based on their electability, doggedness and individual style. Rob McCord, the state's treasurer, employed his sense of humor and touted various programs he has supported while in office, such as incentives to help Pennsylvania universities lower their utility costs. He panned "Act 13," a law signed by Corbett that set statewide gas drilling rules and limited the ability of local governments to regulate drilling. The Pennsylvania Supreme Court recently ruled that parts of the legislation are unconstitutional. "Gov. Corbett's the first governor out of five to walk away from the moral obligation to increase environmental protections," said McCord. "We must respect local municipalities' rights." U.S. Rep. Allyson Schwartz played the role of the polished presumptive frontrunner. She highlighted her plan to tax the natural gas industry based on how much gas it draws out of the ground, at a rate of 5 percent. Gas companies currently pay a flat fee per well drilled. "We have a failed governor, particularly in terms of the Marcellus Shale," Schwartz said. "He's simply been giving our natural gas away to the energy companies. That's unacceptable." John Hanger, a former secretary of the state's Department of Environmental Protection, said that he would be the most effective champion for green causes because he has been working on environmental issues for almost three decades.

## **Tests find water is safe at Sandston site**

RICHMOND TIMES-DISPATCH Tests of two wells near a Sandston site undergoing a federal pollution investigation found that the water was safe, state and Henrico County officials say. ut officials of the U.S. Environmental Protection Agency said their probe will continue, looking into the possibility that dangerous vapors are seeping into homes from underground. The overall investigation could last three to six months, EPA spokeswoman Bonnie Smith said Wednesday. "We are moving ahead with this." The EPA is investigating whether people in a roughly one-block area at East Williamsburg Road and Garland Avenue are exposed to tetrachloroethene, an industrial chemical suspected of causing cancer. The EPA said last week that it was examining that area because a contractor's nearby test well found high concentrations of the chemical — also called tetrachloroethylene, perchloroethylene, perc and PCE — in underground water. Smith said Henrico officials late last week requested tests of the two wells

just outside the study area. Representatives from an EPA contractor and Virginia's health department met at the sites Saturday to get the samples, Smith said. Smith declined to reveal the test results, saying the well owners had not been informed. One well was in the 100 block of North Raines Avenue, and the other was in the 100 block of East Williamsburg Road, according to county officials. Henrico Board of Supervisors member Tyrone Nelson, whose Varina district includes Sandston, said during a board meeting Tuesday night, "Both wells tested negative and are safe for use." Had the tests found high concentrations of PCE, officials had planned to connect the affected homes to the county water supply, which is unaffected, until the situation was sorted out, Nelson said. "This is an EPA investigation and project, but these are Henrico County citizens, and we want to make sure we take good care of our citizens," Nelson said. Nelson said the tested wells were within 1,000 feet of the EPA's study area. Bill Hayden, a spokesman for the state Department of Environmental Quality, said a state lab tested the water and provided the results Monday. One well test found no PCE, and the other showed a concentration well within the health limit, he said. The EPA passed out fliers last week asking for anyone with wells in the study area to contact the agency so their water could be tested. The EPA's Smith said Wednesday that she knew of no one with a well who had responded. "The information we have is that there are no wells in that study area," she said. In addition to tainting drinking water, underground pollution by PCE also can create vapors that seep into homes. Next, Smith said, the EPA will ask people in the study area if the agency can test for dangerous vapors in the crawl spaces or basements of their homes. The source of the Sandston pollution is unknown. PCE is used in some dry cleaning operations as well as industrial solvents and grease cleaners. PCE pollution is sometimes decades old, having occurred when laws were less strict.

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## PENNSYLVANIA

### **PHILADELPHIA INQUIRER**

Comcast to build second, taller Phila. skyscraper  
Read more at

Six years after Comcast Corp. moved into the tallest U.S. skyscraper between Manhattan and Chicago, the cable-TV and Internet giant expects to break ground this summer on an even taller, more dazzling \$1.2-billion tower. The new, 1,121-foot-tall building will be located on an adjacent block on Arch Street between 18th and 19th Streets in Center City, company officials said. One of the world's leading architects, Britain's Norman Robert Foster, has designed the trophy building with a host of innovative features. Comcast is announcing the project Wednesday afternoon. The building will at least initially be called the Comcast Innovation and Technology Center. Its structural "core" will run the vertical length of one side of the see-through all-glass tower, instead of through its middle, like a traditional skyscraper. There will be 13 "sky gardens," or three-story atriums, for software designers, engineers and product developers to collaborate, and the building will be topped by a blade extending about 200 feet higher than the Comcast Center. Comcast and Liberty Property Trust, its partner, have reached an agreement to relocate the Four Seasons Hotel at Logan Square to the new tower's top floors. One entrance will be designated for the 200-room hotel and a second entrance for Comcast

employees. Separate banks of elevators will service both entrances. At 59 stories, the tower will have about 1.5-million square feet of rentable space. NBC10 and the local Spanish-language Telemundo TV stations, both owned by Comcast through NBCUniversal, will relocate their studios in Bala Cynwyd to the new building. In addition, the underground Suburban Station concourse will be extended an additional block to the west beneath 18th Street.

Understanding the city's squirrel invasion As far as historian Etienne Benson can determine, the nation's great squirrel experiment began in 1847 in Philadelphia, when three of the plucky little rodents - a wildlife novelty at the time - were released into Franklin Square. At the time, trees - nut trees especially - were scarce, so keeping them here took some effort. Officials actually provided nest boxes and food. Urban reformers thought the tiny beasts were beautifying the city and elevating the moral character of the citizenry. A child who was kind to a squirrel learned charity. But eventually, as any city dweller knows, the squirrels took over. Now, we couldn't get rid of them, try as we might. We hate them and love them. Some of us feed them; others eat them. Impossibly cute and incredibly wily, they can warm your heart - and chew up your attic. Squirrels are one of the top wildlife pest-control problems. For Benson, a University of Pennsylvania assistant professor who studies the history and sociology of science, the urbanization of the eastern gray squirrel is a case study of our evolving view of nature: something we have fought, fostered, and simply lived with. "You can learn a lot about people's ideas, and how they've changed over time, because of squirrels," he said.

Commentary: The politicization of the weather The time and temperature sign at 49th Street and the Avenue of the Americas in midtown Manhattan hit 57 degrees when I walked by Monday. By the overnight into Tuesday, New York City was reeling in 12-degree temperatures. While cold weather engulfed the eastern United States, with the freeze line extending to Tampa, I was wondering how the frigid weather experienced by 180 million Americans could support the global-warming model for climate change. When I asked Jennifer Francis, a climate scientist at Rutgers University, to explain the connection, she offered a compelling view (which I will share in a moment), but our conversation left me wondering how her profession ever became subject to partisan divide. I get that Republicans and Democrats disagree on such things as whether to extend emergency unemployment compensation or raise the minimum wage. On such issues, the parties are guided by a basic economic outlook. Republicans pride themselves on rewarding individual initiative and preserving the ability of small businesses to run themselves without government interference. The Democrats' aim is to preserve the safety net for the most needy and argue for an honest wage. But why does partisanship extend to other areas without regard for symmetry and logic? Why, for example, is it likely that a person who opposes the extension of unemployment benefits and raising of the minimum wage probably champions Second Amendment rights and supports the death penalty? Similarly, I'll bet most of those who'd extend unemployment and boost the minimum wage are pro-choice and once opposed the surge in Iraq. My suspicion is that when it comes to confounding matters of public policy, some abstain by picking sides based on our comfort level with possible teammates, causing even matters such as climate change to be viewed as a political Rorschach test.

### **PHILADELPHIA DAILY NEWS**

No answers yet in closed fire station WHERE THERE'S smoke, there's fire. And in the case of one Roxborough fire station, where there are noxious fumes, there's a major problem. But what



that problem is, and how long it will keep the station shuttered, remains a mystery to those close to the issue. "The Fire Department is reluctant to give us information," said Joe Schulle, president of Local 22 firefighters union. "As far as we've been told, there's no timetable for reopening the station." The station is Engine Company 66, which has sat unused on Ridge Avenue near Shawmont since Dec. 18, when one of its workers was taken to Roxborough Memorial Hospital after becoming dizzy and light-headed, Schulle said. Shortly after the incident, the union was told that an investigation by the Environmental Protection Agency turned up higher-than-normal readings of a dozen chemicals not typically used in the process of fighting fires. "Stuff like chloromethane, names that are tough to even say," Schulle said. "We've seen carbon monoxide at stations before, but never this stuff, to my knowledge." Schulle requested a copy of the EPA's report to find the exact source of the chemicals, among other information he says is vital to union members. As of last night, he's had no luck - even after filing a Right-to-Know request with the Fire Department. "We want to know what exactly our members were exposed to and for how long," he said. "If a specific medical protocol is required, we shouldn't have to wait to seek it out." Capt. Clifford Gilliam, a spokesman for the Fire Department, had no additional information on the station, saying only that it remains out of service and that a "remediation solution" for the fumes is still being developed. In the meantime, Roxborough residents are worried of the dangers posed by a drop in the neighborhood's firefighting capabilities. "We have lots of little places tucked away. Getting to them in best of circumstances is difficult," said Rich Giordano, vice president of the Upper Roxborough Civic Association. "Add inclement weather and a slower response time, and you have an even larger impact."

### **PITTSBURGH POST-GAZETTE**

Municipalities ask court to let drilling ruling stand South Fayette and six other Pennsylvania municipalities have asked the state Supreme Court to deny a Corbett administration request to reconsider its order declaring unconstitutional the "drill anywhere" provision of the state's oil and gas law. The municipalities say in a 15-page response filed Wednesday that the court's Dec. 19 decision was based on a purely legal determination that the law's provisions overriding local zoning were unconstitutional. They further say there is no need to review additional factual evidence and findings that the state Department of Environmental Protection and the Public Utility Commission now want to introduce on appeal. "This wasn't a factual case with evidence," said John Smith, co-counsel for the municipalities. "It was a pure matter of law and they even argued that, to the Commonwealth Court, that the factual record was of no relevance." In an appeal filed Jan. 2, those state entities and the governor's Office of General Counsel asked the Supreme Court for an opportunity to re-argue the case and introduce new evidence. In filing for the appeal, the Public Utility Commission and DEP asked that the case be returned to Commonwealth Court for development of the evidentiary record. "They've lost on the law question, so now they want to re-argue on the facts," Mr. Smith said. The municipalities also quote the Supreme Court opinion that states Act 13 did not pass constitutional muster because "constitutional commands regarding municipalities' obligations and duties to their citizens cannot be abrogated by statute." The municipalities' response states the Supreme Court based its decision on the "plain language" of the state constitution's Environmental Rights Amendment, which has been part of the constitution for more than 40 years. Mr. Smith said that although factual evidence was not required by either the Commonwealth or Supreme courts, the municipalities' original filing, appealing Act 13, contained hundreds of photographs of well sites

near residences and documents, including medical and toxicological studies and affidavits, accident reports, drilling impact analysis and newspaper articles. The municipalities' response also questioned whether the state Office of General Counsel, which represents the governor, and the DEP have standing to appeal the Supreme Court's decision. It states that defending the constitutionality of the state's laws is the job of the state attorney general, but that office is not part of the appeal. As for the DEP, the response notes that, "... the DEP is charged with protecting the Commonwealth's environment, yet rather than defend its Section 27 (Environmental Rights) fiduciary duties, Agencies seek to undermine their constitutional role." A spokesman for Gov. Tom Corbett could not be reached.

### **PITTSBURGH TRIBUNE REVIEW**

Murrysville plans meeting on shale gas lease for park The possibility of Marcellus shale gas drilling under Murrysville Community Park could become a reality. Next Wednesday, council will discuss a proposed lease to the oil and gas rights at the park. Murrysville Chief Administrator Jim Morrison confirmed on Wednesday that the municipality had been approached by an oil and gas producer regarding the natural gas rights at the park. "The council at their next regularly scheduled meeting will discuss the proposed lease," Morrison wrote in an email. "Council feels the input of the residents of the community is paramount in helping guide an appropriate course of action on this very important issue." Huntley and Huntley, a Monroeville-based drilling company, has approached officials about leasing the gas rights under the 262-acre park, but the company has not made a formal offer, said Mike Hillebrand, vice president and chief operating officer at Huntley. "We've been in discussions for several years to determine interest," Hillebrand said. "We've thrown some concepts around, for economics, to see if it's even advanceable." The park along Wiestertown Road is one of two included in the municipal drilling district. No shale gas drilling has occurred in the municipality. Hillebrand said Huntley does not intend to begin drilling in Murrysville for at least three more years. He said he would like to see more public discussions about drilling under the park. "We're inviting debate for the subject," Hillebrand said. "I don't know that either side is close to a definitive offer, but as things progress, good communication is important."

Meeting set to discuss NUMEC groundwater contamination The Army Corps of Engineers will hold a meeting on groundwater testing results from the nuclear dump in Parks Township at 7 p.m., Jan. 29. The meeting will be held in the Parks Township Volunteer Fire Department Hall, 1119 Dalmatian Dr. The Corps and the federal Environmental Protection Agency did not find nuclear or chemical contamination above drinking water standards for the groundwater tests conducted last year. (To view the report, visit: <http://www.lrp.usace.army.mil/Portals/72/docs>

### **WHYY NEWSWORKS**

Pa. Democrats running for governor try to out-green one another Eight Democratic candidates for Pennsylvania governor sought to out-green one another last night at a debate focused on environmental sustainability. Some candidates promised not to take any campaign money from the natural gas industry. Others swore they'd put a moratorium on drilling in areas of the Marcellus Shale. And, of course, they blasted the incumbent, Republican Gov. Tom Corbett. Corbett was invited to, but did not attend, the event, which was held at Philadelphia's Academy of Natural Sciences of Drexel University and moderated by WHYY-FM senior reporter Dave Davies. Overall, there was very little disagreement on policy matters. The candidates sought to

distinguish themselves based on their electability, doggedness and individual style. Rob McCord, the state's treasurer, employed his sense of humor and touted various programs he has supported while in office, such as incentives to help Pennsylvania universities lower their utility costs. He panned "Act 13," a law signed by Corbett that set statewide gas drilling rules and limited the ability of local governments to regulate drilling. The Pennsylvania Supreme Court recently ruled that parts of the legislation are unconstitutional. "Gov. Corbett's the first governor out of five to walk away from the moral obligation to increase environmental protections," said McCord. "We must respect local municipalities' rights." U.S. Rep. Allyson Schwartz played the role of the polished presumptive frontrunner. She highlighted her plan to tax the natural gas industry based on how much gas it draws out of the ground, at a rate of 5 percent. Gas companies currently pay a flat fee per well drilled. "We have a failed governor, particularly in terms of the Marcellus Shale," Schwartz said. "He's simply been giving our natural gas away to the energy companies. That's unacceptable." John Hanger, a former secretary of the state's Department of Environmental Protection, said that he would be the most effective champion for green causes because he has been working on environmental issues for almost three decades.

### **BUCKS COUNTY COURIER TIMES**

Bucks County plans new trail along Upper Neshaminy Creek County officials are looking for your input on a new trail network that could run along the Upper Neshaminy Creek in the heart of Central Bucks. The county planners are designing a trail that would stretch from the Twin Streams Park in Chalfont to the Forks of the Neshaminy in Wrightstown.

### **CLEARFIELD PROGRESS**

Converting from coal to natural gas ...DEP approves air quality plan for plant WILLIAMSPORT - The Department of Environmental Protection announced Monday it has issued an air quality plan approval to Penn State University for its West Campus steam plant project to convert the boilers from coal to natural gas in State College. "The department has done a very careful and detailed review of this application during the past 15 months to be sure that the proposed project meets the department's Best Available Technology requirements as well as all applicable federal and state air quality regulations," DEP Northcentral Regional Director Marcus Kohl said. "In some areas, our plan approval application review exceeded state and federal requirements. We responded to more than 40 written comments received from the public," Kohl said. DEP provided substantial opportunities for public input throughout its review process. In late October 2013, the department conducted a combined public meeting and hearing in State College that was attended by about 50 citizens, with 16 presenting testimony. The department has determined that the proposed emission levels of air contaminants satisfy DEP's BAT requirements, as well as new source review and prevention of significant deterioration applicability requirements. The draft and proposed plan approvals also were sent by DEP to the Environmental Protection Agency for its review. The department addressed EPA's comments, and EPA concurred with the department's decision to issue the plan approval.

### **ELLWOOD CITY LEDGER**

Conservation District honors two at annual dinner ELLWOOD CITY – Former Ellwood City borough manager Dom Viccari is one of two Lawrence County residents recognized recently for outstanding conservation activities. The Lawrence County Conservation District recognized Viccari and North Beaver resident Joel Beeghly during its annual luncheon on Jan. 3. The

Conservation District presented Viccari the Distinguished Service Award for his past and continuing efforts to protect our communities' natural resources and to educate adults and children of our environment's importance. While working as the borough manger Viccari was involved in a number of environmental projects, including replanting trees in the community park and educating students on Earth Day. His work has continued in his retirement, with Viccari working on a project to reduce the amount of stormwater runoff pollution entering the Connoquenessing Creek, volunteering to check bins for recycled fishing lines as part of the Monofilament Recycling program and recruiting Ellwood residents to sign up for the district's rain barrel program. Viccari plans to continue volunteering with the district, and take part in the upcoming Children's Summer Nature Camp. Beeghly, owner and operator of Shiloh Farms in North Beaver Twp. received the conservation district's Farmer of the Year award for his work toward protecting and preserving his pasture resources. Beeghly has constructed stabilized stream crossings, worked to control invasive species, and plans to install a waste storage facility to properly store manure in the winter months.

### **HARRISBURG PATRIOT NEWS**

Letter: Corbett, Pennsylvania are doing a good job regulating shale drilling: The Patriot News' recent editorial ("Shale gas drilling: blameless bonanza or scorched-earth operation?") lays out the complexities of shale gas development, but misses the mark when concluding the activity has yet to get the level of oversight necessary in Pennsylvania. Act 13, signed by Gov. Corbett, received bipartisan support in the General Assembly and significant input from Pennsylvania environmental and conservation organizations. This act was the first comprehensive enhancement of Pennsylvania's environmental protection laws in nearly three decades. New standards restricting where drilling can occur; increasing penalties for violations; mandating inspections; requiring disclosure of chemicals; and over twenty additional environmental protections were included in this law. Enforcement and oversight is also up under Gov. Corbett. In his first year in office, over 10,000 inspections – twice as many as the year before – were conducted, and that number has increased ever since. The impact fee is providing over \$17 million a year in new funding to state and local agencies for oversight and enforcement. And a third-party, independent review organization recently evaluated and commended Pennsylvania for running a "well-managed, professional program" that is meeting its objectives. Just last fall, the National Governors Association invited Pennsylvania to present to other states how we have successfully protected the environment, with a specific focus on new protections for water quality. Several states remarked that they were in the process of updating their standards to reflect those adopted in Pennsylvania. The eyes of the world are on the Commonwealth, and Pennsylvanians can rightly be proud of the significant steps its leaders have taken to protect our environment and natural resources.-- PATRICK HENDERSON, Energy Executive, Office of Gov. Tom Corbett, Harrisburg

### **HAZELTON STANDARD-SPEAKER**

Beech Mt. urged to conserve water A water conservation appeal continues for residents of the Beech Mountain Lakes community, Drums, while water line repairs are underway. According to Donna Alston, communications manager for Aqua Pennsylvania, the resort community's water service provider, numerous leaks in the water system are causing the water level in community's water supply tank to drop. The water company is hauling potable water to the community to fill the storage tank daily to keep the community in water while repairs are underway. Customers are

being asked to conserve water while crews work to locate leaks and repair the water supply lines. While they are being fixed, Alston said customers may experience intermittent periods of low pressure or no water. Since crews were dispatched to the community Saturday night, several small leaks in the water system have been located and repairs are underway, but locating the primary leak has, so far, been a challenge, Alston said. "There are many unoccupied houses in this community. If there is a leaking customer service line and there is no customer present to make the water company aware of the leak, the leaking service can run indefinitely until water begins to surface at the ground or until it is discovered by a leak detection crew," Alston said.

### **LANCASTER NEWSPAPERS**

#### Lancaster County sewage plants forced to undergo upgrades to clean up Chesapeake Bay

Usually when Lancaster County is mentioned in relation to the Chesapeake Bay, it's as the bad guy. Whether it's federal authorities cracking down on farmers or urban stormwater runoff, the headlines often center on pollution harming the nation's largest estuary. Now, there's some good news to report. Four of the county's municipally-owned sewage plants have spent nearly \$27 million in upgrades since 2010, resulting in dramatic reductions in discharges of nitrogen, one of the most harmful pollutants to the Bay. Manheim Borough, for example, released 28,000 less pounds of nitrogen into Chiques Creek in 2012 than it did the year before, a whopping 68 percent reduction. That follows a \$14 million plant upgrade completed in 2011. "Nobody wants to spend money, but when you have results and you see what you're doing for the environment, at the end of the day it's worth it," says Dave Fenicle, the Manheim Borough Authority's head of its water and sewer department. Other municipalities can boast similar stellar report cards. Mount Joy Borough's sewage-treatment plant discharged 60 percent less nitrogen in 2012 than it did in 2010. The borough finished a \$4.5 million addition to its plant in late 2010. After a modest \$1 million upgrade to its sewage plant, New Holland's releases of the nutrient into Mill Creek fell 54 percent from 2011 to 2012. Some \$7.2 million in changes to its sewage plant enabled Ephrata Borough to cut its nitrogen loads in half in just over a year. "The (state) Department of Environmental Protection is pleased to see the nitrogen reductions among point sources in the Chesapeake Bay watershed," said DEP spokeswoman Amanda Witman when asked about the significant reductions here. Also pleased is the federal Environmental Protection Agency, which dropped its "increased oversight" scrutiny it had been leveled on Pennsylvania. And a national environmental group, the Environmental Integrity Project, lauded Pennsylvania, as well as Virginia, for their "significant progress" in reducing nitrogen pollution from industrial facilities and sewage plants. To be sure, the local cleanups come with state and federal officials holding a gun to their heads.

### **NORRISTOWN TIMES-HERALD**

Sewer plan explained to West Norriton commissioners WEST NORRITON — A verbal report on the township's comprehensive sewer plan and plans for repairs this year to sewers in Joseph Street and Forrest Avenue was given to the commissioners Tuesday night. Sanitary engineer Chris Frawley said that metering sewer flows at several dozen sewer manholes had pinpointed "inflow and infiltration" of storm water into the sanitary sewer manholes and into sewer laterals from residents homes. "Mystic Lane was a complete surprise to us. We have to get in there and TV those sewer lines," Frawley said. "In the area of School Lane near the golf course we were getting 10 gallons per minute. There was significant inflow in that area. We have four manholes that have significant leakage." Frawley said there was storm water inflow in the lower Whitehall

Road basin below Burnside Road. "There is tremendous inflow through manholes," he said. Township Manager Jason Bobst said the commissioners had authorized Frawley to conduct the flow metering at manholes in the 2013 budget.

### **POCONO RECORD**

1.5 million in Pa. live in risk zones of ammonia tanks Ammonia, a toxic gas the Environmental Protection Agency classifies as extremely hazardous, is the most widely used dangerous chemical in Pennsylvania. One in every eight Pennsylvanians — 1.5 million people — lives close enough to facilities that store large amounts of ammonia to be at risk in a catastrophic chemical accident, according to a PublicSource analysis of federal records. These records show what could happen in a worst-case scenario, where a large amount of a hazardous chemical quickly leaks. That 1.5 million includes only residents. It does not count children at schools, shoppers, people in office buildings, churches, hospitals and prisons. Nor does it include the 38,000 workers at the plants that use the ammonia. The 122 Pennsylvania facilities that store at least five tons of ammonia at any one time include a list of companies with household names: US Steel, Giant Eagle, Wal-Mart, Sysco, Tyson Foods and Yuengling Brewery. Among those facilities is Vertellus Health & Specialty Products in Delaware Water Gap, within a population of nearly 17,000. In a 2008 incident, more than three dozen people were evacuated from their homes following a leak of compounds considered irritants, maleic anhydride, octene and alkenyl succinic anhydride. Four people — three adults and a child — were taken to Pocono Medical Center for treatment. Following the leak, the company took steps to reduced its storage of sulfur dioxide by 95 percent. "Having this information can only protect the public," said Sofia Plagakis, a policy analyst with the Right-to-Know Network, a Washington, D.C., research organization that advocates for better health and safety standards. "The public has a right to know if they are living near a high-risk facility in order to protect themselves, their families and communities." The RTK Network database shows that the 122 Pennsylvania companies are spread throughout 43 counties that must file risk-management plans because they use large amounts of pure ammonia. One purpose of the risk plans is to help the public understand the dangers of hazardous chemicals and to see that the company has a plan in case of an accident. But under EPA rules, one part of those plans, the worst-case scenarios, can be viewed only in government offices, and an individual can examine no more than 10 reports a month. At that rate, it would take one person more than a year to find out which Pennsylvania facilities handle large amounts of ammonia and how many people could be affected by an accident. So PublicSource staff and six Point Park University journalism students examined all worst-case scenarios for ammonia in one day. Now, for the first time, all Pennsylvanians can see how close they live to dangerous ammonia stockpiles. (Go to [poconorecord.com](http://poconorecord.com) to see an interactive map).

### **SHARON HERALD**

Spill being cleaned up EAST LACKAWANNOCK TOWNSHIP — The spill resulted when a 275-gallon fuel tank sitting on the ground containing heating kerosene for one of the homes at Willow Bend Mobile Home Park began leaking, Gary Clark, community relations coordinator for DEP's Meadville office, said Monday. He said the tank was filled in December but didn't give an amount for how much may have leaked onto the property, nor did he identify the individual who owned the tank. "The leak poured into the yard and it may be in the two water wells there," Clark said. The wells provide drinking and other water needs to Willow Bend residents, he added. As a precaution, park residents were told not to drink the water, Clark said.

DEP officials were at the site on Sunday and Monday and Clark said late Monday afternoon he was waiting to hear from field agents. Representatives from the state Fish and Boat Commission were also at the scene on Sunday. The odor of kerosene could still be detected late Monday afternoon. Hermitage Fire Department was called in Sunday as it has hazardous materials cleanup capabilities. The department used absorbent pads to suck up as much of the kerosene as it could, said Robert S. Goeltz, fire chief. He said the contaminated area was about 200 feet wide and 300 feet long. "It was very visible, you could see the sheen it was making," Goeltz said. After volunteers worked several hours at the site, Goeltz said it's now up to DEP to determine what, if any, further remediation is necessary. State officials were looking into whether kerosene entered a small stream near the property, he added. Hermitage fire officials provided residents with 15 cases of bottled drinking water. The Red Cross was also on hand to help find shelter for two tenants who were told they shouldn't spend the night in their homes, said Frank Janetti, director of Mercer County emergency services. He said Willow Bend has about 14 residences.

### **TOWANDA DAILY REVIEW**

Heating oil leaks into spring in Asylum Township Emergency responders were dispatched to an Asylum Township residence Tuesday to address a minor leak of heating oil, which had migrated into the residence's basement and a fresh-water spring, the Wysox fire chief said. The heating oil was found in a fresh water spring that rises into a 3-foot by 3-foot concrete containment area in the resident's basement, Wysox Fire Chief Brett Keeney said. The property owner uses the water for his washing machine, Keeney said. The oil had leaked from piping underneath a 270-gallon fuel tank, which is located outside the residence, he said. The piping carries oil from the tank. Keeney said he did not know how much oil was in the tank when the leak began, or how much had leaked. Emergency responders removed approximately one gallon of oil that was in the spring's containment area, because that was the only oil that was visible in the containment area, he said. They also gave the property owner absorbent materials for any additional cleanup work that would be needed. Keeney said he did not know if the oil had leaked into the ground water and then traveled into the spring, or whether the oil had leaked through the basement wall and then gotten into the containment area. Keeney said he did not know the name of the man who lived in the residence. The residence is located on French Azilum Road, approximately one mile from the French Azilum Historic Site, Keeney said. The man did not become sick from the heating oil, and can remain in his home, Keeney said. Emergency responders, who were sent to the residence at around noon, were able to stop the leak by shutting off a valve, he said. The Bradford County Emergency Management Agency was also involved in addressing the leak. Keeney said he is not sure if Bradford County EMA was going to contact the Pennsylvania Department of Environmental Protection.

### **WASHINGTON OBSERVER-REPORTER**

Lawmakers question PJM about plant closings in light of request to conserve power PJM Interconnection's determination last fall that the closings of the Hatfield's Ferry and Mitchell power stations would have no impact on the electrical grid's reliability is being questioned by two local lawmakers in light of the grid operator's request during last week's cold snap for people to conserve power. PJM's analysis regarding the plant closings was questioned by state Rep. Pam Snyder, D-Jefferson, and state Sen. Tim Solobay, D-Canonsburg, in letters sent Tuesday to PJM and the state Public Utility Commission. "PJM officials assured the public during hearings related to local plant closings that the grid would have enough electricity to

reliably meet demand,” the lawmakers said in their letter. “Based on the most recent events, it appears that the PJM needs to re-evaluate,” the letter said. “Local families need to be assured that they will have electricity when temperatures reach record lows or record highs.” FirstEnergy announced in July it would close the two coal-fired plants, citing weak demand, low prices and the costs of complying with environmental regulations. PJM, which ensures the reliability of the electric grid in 13 states and the District of Columbia, reviewed the shutdowns and determined they would create no problems with system reliability. The plants closed in October. During last week’s sub-zero temperatures, however, PJM asked the public to conserve electricity. This came despite assurances last fall that the closure of the two power plants would not affect the reliability of the grid, the lawmakers said.

South Fayette drilling ordinance challenge tabled indefinitely A challenge to the validity of South Fayette Township’s oil and gas drilling ordinance has been tabled indefinitely, said Thomas Ayoob, solicitor for the township’s zoning hearing board. The board was set to hear testimony from both the township and attorneys for Cuddy Partners and Range Resources at a meeting Monday. Nearly 70 people turned out for the meeting, many expecting a chance to speak regarding the matter. If a subsequent hearing is held, residents will have that opportunity. Cuddy Partners and Range Resources filed a substantive validity challenge to the South Fayette Township zoning ordinance as it deals with oil and gas exploration. About 400 acres of former airport property along Cecil-Sturgeon Road is owned by Cuddy Partners and John Alan Kosky. Ayoob said at Monday’s meeting he was approached by Clifford Levine, attorney for Range Resources and Cuddy Partners. Ayoob said Levine requested a postponement of the challenge in general. The postponement was agreed to by Jonathan Kamin, solicitor for South Fayette. “It is an open-ended continuance,” Ayoob said. In order for the matter to be taken off the table, a petition must be filed by either party and a hearing would have to take place within 60 days of that petition. The cost to readvertise any hearings would be incurred by Range Resources, Ayoob said.

### **WILKES-BARRE CITIZENS VOICE**

Ammonia at NEPA companies could pose risk Large amounts of ammonia stored at companies in Pittston and Hanover Township could pose a serious risk in the event of a catastrophic chemical accident, according to a PublicSource analysis of federal records. RLS Logistics at 1075 Oak St. in Pittston has a hazard zone of 1.7 miles if a chemical accident occurred, affecting 1,200 residents if the maximum projection of 15,000 pounds of ammonia were to be released into the environment. Nardone Bros. Baking Co. at 420 New Commerce Blvd. in Hanover Township has a hazard zone of 2.3 miles, affecting about 24,000 residents if the maximum projection of 1,659 pounds of ammonia were to be released. The hazard zone is the area around the facility that could be affected by a chemical release. Neither company could be reached for comment about how the chemical is used, how it is stored and how risks are mitigated. Companies are required to keep records of the hazardous chemicals they use with county emergency service providers. David Hahn, director of emergency services for Lackawanna County, has files for the two companies in the county that use anhydrous ammonia: MIA Products in Rocky Glen Industrial Park, Moosic and Americold, 91 First Ave., Covington Township. Each folder contains a Pennsylvania Tier II Emergency and Hazardous Chemical Inventory form, updated yearly, Hahn said. The form details how much anhydrous ammonia is stored at each plant and where. If a leak were to occur, county emergency dispatchers would



coordinate a fire and police response, evacuate if necessary and send in a hazardous materials team, he said. Lackawanna County contracts its hazardous materials response to Datom Products, based in Dunmore. Food companies such as Cargill, Aryztal and Gonnella and food distributor Romark Industries in the Humboldt Industrial Park in Hazle Township and Mrs. T's Pierogies in Shenandoah use ammonia as a refrigerant.

### **WILLIAMSPORT SUN GAZETTE**

Tioga County commissioner discusses Biggert-Waters Act WELLSBORO - Tioga County Commissioner Erick Coolidge discussed the potential impact of new FEMA flood plain maps that could increase residents and businesses' flood insurance costs by astronomical levels. Coolidge made his remarks during the commissioners' regular monthly meeting Tuesday. "Under the circumstances questions are being raised in regard to what impacts there might be and whether they gave accreditation to our current flood plains and levies," Coolidge said. The Biggert-Waters act of 2012 expands the flood plain areas from current areas, and increases the premiums those with homes and businesses located in the new flood zones will have to pay. "One business here will go from \$5,000 per year to \$95,000 per year. If your home is in a flood area insuring it will be quite a challenge," Coolidge said, adding the maps used may not be entirely accurate. "In the years since I have been on this board, 1996, we have gone through a 500 year and three 100 year floods, and several snow melts and high water, with just water in some basements," Coolidge added. According to Coolidge, meetings with the National Association of Counties, congressmen Glenn "GT" Thompson, R-Howard, and Thomas A. Marino, R-Cogan Station, were recently held in Lycoming County to raise awareness

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## WASHINGTON, D.C.

### **WASHINGTON POST**

Blog: A big test for Obama on the environment It's now common knowledge that, with one party in the grip of climate denialism, the best chance for serious action on climate change during Obama's second term will be using the federal bureaucracy via executive action. The EPA in particular is the key agency in the struggle. It has broad powers under the Clean Air Act, buttressed by a 2007 Supreme Court ruling, to regulate climate pollution. But such an action will require a bold, sustained effort from the whole of the administration. Today, we'll get a key test of the administration's determination. A gigantic mine is being planned for the Bristol Bay region in Alaska on huge deposits of gold, copper, and molybdenum, the poisonous byproducts of which could devastate the region's environment and economy, and today the EPA released its assessment of the mine's impact. The assessment is purely scientific; now the agency has to make a policy decision about whether to permit the mine. The choice EPA makes will be a key indicator of the EPA's willingness to endure the backlash that will certainly ensue if they take strong action on climate change. It's not clear how big an economic boon this project (called the Pebble Mine) would be to people in the surrounding communities. The Pebble deposit contains billions in minerals — though most of the wealth will go to the conglomerate planning the project; the mine would support only a few thousand jobs. Meanwhile, the Bristol Bay area *already* has a thriving economy centered around the sockeye salmon run. According to the report, the fishing industry supports over 14,000 jobs, and \$480 million in direct expenditures.

Naturally, the absentee mining developer insists any damage to the salmon habitat will be minimal, but the mine would be right on the headwaters of key rivers for the salmon run, and folks in West Virginia can tell you a thing or two about the impact of extractive industry and toxic waste spills. However the short-term numbers work out, the long-term reality is that any mining inevitably exhausts the deposit. Right now the salmon business is sustainable indefinitely, if properly managed, and provides long-term economic security. As I've written before, the extractive industry might bring a short hit of wealth, but will run out eventually. That's a big reason why native groups especially, which also rely on the salmon as a major part of their diet, have mobilized strongly against the mine. In any case, economic arguments only go so far. Depending on the scenario, the EPA report estimates that the Pebble mine could create up to 11 billion metric tons of waste rock, and destroy up to 94 miles of streams, 4,900 acres of wetlands, and 450 acres of ponds and lakes. That's more than enough to justify halting the mine either on economic or on the environmental grounds of protecting key salmon habitat. The question is whether the EPA will be willing to endure a *political* backlash from enraged corporate gazillionaires and their backers in Congress and the media.

### **WAMU-RADIO (NPR)**

With Population Growing, Transportation Planners Say They Need To Keep Up Maintenance of the transportation system of both highways and commuter rail lines must be the top priority of local governments and decision-makers as the region's job base and population expand, according to plan crafted by transportation planners and adopted unanimously on Wednesday by the National Capital Region Transportation Planning Board. The 80-page plan is designed to help public officials wade through a tough climate for transportation. The needs are numerous, the dollars are hard to come by. It charts the region's challenges, from bottlenecks to crowded trains; from lack of access to transit to the lack of public confidence new funds will be spent wisely. And it relies of public opinion: more than 600 commuters were polled who overwhelmingly favored bringing the current infrastructure into a state of good repair. "We are acknowledging that the system needs to be maintained, that we need to ensure a state of good repair, and that we need to make sure we can accommodate new riders. We know they are coming on Metro. We know they are coming on the roads," said John Swanson, one of the board's planners. The document does not endorse specific projects. Instead it lays out short-, mid-, and long-term strategies to improve the region's transportation network, emphasizing the importance of combining transportation strategies with land use policies of building housing and office development around transit stations. "Some people have actually criticized us for not being visionary enough as a plan, but I think the source of its vision is its pragmatism. It really says we need to operate smartly, efficiently. We need to find a variety of different transportation solutions," said Swanson.

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## **DELAWARE**

### **WILMINGTON NEWS JOURNAL**

Opponents of proposed power plant hold candlelight vigil in Newark Residents urge council to find zoning conflict; vow election response. NEWARK — The group Newark Residents Against the Power Plant held a candlelight vigil outside the municipal building here at dusk Wednesday,

urging the city to find the proposed data-center project fails to meet the terms of Newark's zoning code. Leaders of the group called on city officials to "make the right decision" and deny a request for zoning verification from The Data Centers LLC. The company wants to build a data-processing facility and 248-megawatt power plant on 43 acres of the former Chrysler assembly plant. More than 200 lined up along South Main Street Wednesday. Most carried candles, while others held red signs showing their opposition against the proposed plant. "We're here to reach out to the city, the City Council and the staff to ask them to make the right decision," said Jen Wallace, one of the organizers. While the group's members have different issues with the power plant, Wallace said they were all united by their opposition to it. "There's actually lots of varied concerns about this project." City administrators are expected to issue a decision on the zoning issue this week – possibly Thursday. The Data Centers has had a request for zoning verification pending with Newark since last fall. Until recently, officials said they didn't have enough information from The Data Centers to make a decision. The company requires documentation of proper zoning in order to secure air-quality permits from the state

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## WEST VIRGINIA

### CHARLESTON GAZETTE

EPA: Spill size not yet known CHARLESTON, W.Va. -- Government investigators are still trying to determine exactly how much of a toxic chemical that spilled at the Freedom Industries tank farm along the Elk River soaked into the ground and could later leach into the river, a top U.S. Environmental Protection Agency official said Wednesday evening. "An investigation is going on to figure out where there might be any materials in the ground and, so far, that investigation is still going on," EPA regional administrator Shawn Garvin told the Charleston on Wednesday. Asked if that meant officials simply don't know how much of the "Crude MCHM" is still in the soil and could reach the river without proper containment and cleanup measures, Garvin said, "I think that's probably . . . we're still investigating to ensure we have a complete answer to that." Garvin praised West Virginia officials and other federal agencies for what he said was a "swift" response to the spill. "Clearly, if you've got a drinking water system that serves up to 300,000 people that is compromised, it's a fairly serious incident," he said. "That's why we got engaged as quickly as we could." Initially, Garvin said he thought officials had a "pretty good handle" on what he called "source control." Asked if that meant investigators knew how much material had leaked and had been able to ensure that no more of it would ever reach the Elk River or the West Virginia American Water intake 1.5 miles downstream, Garvin offered a more complicated answer. "There's a lot of activity on the ground, with creating trenches," he said. "There's also boring going on and other things going on to get a handle on answering the question that you have raised, to see how much we can tell that might be in the ground that has the potential of leaching out into the water body." Randy Huffman, secretary of the West Virginia Department of Environmental Protection, said later that he agreed with Garvin. "We don't know exactly. Maybe it's not clear is the right word," Huffman said. "The response to that is continued remediation efforts, which we're going to ensure continues to take place." Huffman added, "I can say for certainty that the state of West Virginia is not going to abandon that site or abandon the remediation efforts until there is 100-percent certainty that the risk of this stuff getting back in the water has been eliminated -- not just minimized. "I know what my boss is

going to say about that, and I think I can make that statement," said Huffman, who is a gubernatorial appointee. "We just can't have that possibility existing." Asked how long that kind of a cleanup would take, Huffman said, "That's likely the multimillion-dollar question, I think." Huffman also said Wednesday that a trench dug on the site to try to block water runoff from the operation had been filling with water, which officials believe might have been coming from a water line leak along Barlow Drive. West Virginia American Water replaced a line Wednesday to fix that problem, Huffman said. Garvin's remarks Wednesday evening were the EPA's first significant public comments about the spill a week ago that fouled drinking water supplies for 300,000 people across a nine-county region around Charleston.

EPAs role in response to chemical spill minimal (Wednesday) CHARLESTON, W.Va. -- Over the last four years, the U.S. Environmental Protection Agency has become an almost-constant punching bag for West Virginia's coal industry and the politicians who support it. Mining officials and elected leaders repeatedly denounce what they call a "war on coal," and blast EPA regulatory and enforcement efforts as "federal overreach." But now -- as a major water crisis prompted by a chemical spill continues -- EPA officials are nowhere to be found. Agency officials may be working behind the scenes, but they've not appeared at government briefings and have refused numerous interview requests. On Tuesday, a spokeswoman for EPA administrator Gina McCarthy provided this prepared statement: "EPA continues to work closely with other federal and state agencies in West Virginia as they begin implementing a plan for getting the water system back on line," said the statement, provided by EPA press officer Alisha Johnson. The statement continued, "The State of West Virginia and the West Virginia American Water Company (WVAWC) are developing a plan for flushing the system, along with sampling and analysis, that will allow residents to begin using their water as soon as possible. State and Federal (ATSDR/CDC) health officials have agreed that a level of 1 part per million (ppm) of methylcyclohexanemethanol is protective of public health and the State/WVAWC will use the flushing process to assure that the 1 ppm level is achieved throughout the system. "The EPA supports this approach and has offered sampling and monitoring assistance to the State during the restart efforts," the statement said. The Charleston Gazette asked to interview EPA officials who are assisting in all aspects of the agency's response -- from water sampling to cleanup to determining what level of the chemical was safe.

Freedom cited after moving chemical from Elk River site POCA, W.Va. -- It smells like licorice in the Par Industrial Park in Nitro. Par Industrial Park is the home of Poca Blending, a subsidiary of Freedom Industries. Under orders from the state Department of Environmental Protection, Freedom used tanker trucks to transport all the remaining chemicals from their facility on the Elk River to Poca Blending, a drive of about 17 miles. Every one of those trucks went within about 100 feet of the Nitro Public Library. The library, which has been closed since the leak was discovered last week, sits about a quarter mile down the road from Poca Blending. Lynn Godby, the library manager, was at work on Wednesday morning, beginning the process of flushing the building's pipes so they could reopen tomorrow. She had no idea that the tanker trucks that had driven by contained 4-methylcyclohexanemethanol from Freedom Industries, or that the chemical was being stored so close by. "It makes me a little uneasy," Godby said Wednesday. "You don't like to think they're just right down the road."

Chemical Safety Board promises broad probe of spill CHARLESTON, W.Va. -- The U.S.

Chemical Safety Board today promised a detailed probe of last week's chemical spill that fouled the water supply for hundreds of thousands of West Virginians. CSB officials indicated that their probe would focus on the chemical tank that spilled thousands of gallons of the chemical "Crude MCHM" into the Elk River. But agency officials also said that they would like to examine other issues, including the lack of planning for such an incident, given the proximity of Freedom Industries to the regional water intake and the dearth of information about the potential health impacts of the chemical involved. "There's an obligation to provide information to the public when something like this happens that helps them to better understand," said Johnnie Banks, a supervising investigator who is leading the CSB team examining the incident.

Flushing plan could damage septic systems CHARLESTON, W.Va. -- West Virginia American Water's recommendation for flushing your home plumbing system of contaminants doesn't take septic tanks into ...

### **CHARLESTON DAILY MAIL**

Influx of ER visits reported following lifted do not use advisories CHARLESTON, W.Va. -- Area emergency rooms are seeing an influx of patients reporting symptoms related to exposure to chemical-tainted water, despite the fact that West Virginia American Water has deemed water in many areas safe to use. Rahul Gupta, health officer for the Kanawha-Charleston Health Department, said 101 patients visited area emergency rooms in the 36-hour span ending at 7 a.m. Wednesday morning, reporting symptoms related to exposure to tainted water. He said 46 of those allegedly water-related emergency room visits occurred between 7 p.m. Tuesday night and 7 a.m. Wednesday morning. "What we are seeing when we talk to our partners in hospital systems are people with skin and eye irritation, rashes, nausea, upset stomach and diarrhea," Gupta said. All of those symptoms have been connected with exposure to crude MCHM, the chemical that leaked from a Freedom Industries storage tank Thursday into the Elk River, and then into West Virginia American Water's Charleston treatment plant a mile and a half downstream.

W.Va. delegate joins in chemical leak lawsuit CHARLESTON, W.Va. -- A West Virginia House of Delegates member is one of the more recent people to join in lawsuits relating to a chemical leak that contaminated water in several counties. Delegate Michael Manypenny, D-Taylor, joined several Charleston residents and business owners in a federal lawsuit filed Monday. In the suit, Manypenny said he was exposed to the contaminated water while the Legislature was in session. The suit says Manypenny wants to represent those who don't live in the affected area but were exposed to the water and require medical monitoring. So far, this is the second federal lawsuit filed related to the Jan. 9 leak of 4-methylcyclohexane methanol off Freedom Industries' property into the Elk River. The chemical later made its way into the West Virginia American Water treatment facility that supplies water to nine counties. Other plaintiffs in the suit are Vandalia Grill, Georgia Hamra, John Sarver, Mousie's Car Wash, Nitro Car Care Center LLC, Carolyn Burdette, Colors Salon and Boutique LLC and Crystal Goode. The federal lawsuit also marks change from several other previous lawsuits because it has gone beyond Freedom Industries and West Virginia American Water Corporation, adding the chemical's manufacturer Eastman Chemical Company and Freedom President Gary Southern as defendants. Some of the previous lawsuits listed only Freedom Industries as a defendant while many others listed both Freedom Industries and West Virginia American Water Co. One lawsuit also listed Freedom

CEO Dennis Farrell.

Editorial: Is your household ready for next crisis? WE can't anticipate what disasters, natural or man-made, might befall our area on any given day, but we can control how we as individuals, families or organizations are prepared for them. And our preparation will affect how well we get through the crisis. In the first several hours after Gov. Earl Ray Tomblin and West Virginia American Water Co. announced the Do Not Use water order one week ago today, some mayhem ensued at larger grocery outlets as residents rushed out to buy bottled water. In a few places, scuffles occurred as some customers found store shelves empty while seeing others — who had arrived just moments before — accumulate multiple cases of bottled water. Similar mayhem occurred after the 2012 derecho, when electric power was interrupted across the area for days or weeks. Residents lined up for gasoline supplies at the few stations that had power to pump gas. Traffic backed up and fights ensued. But the chaos is preventable with a little planning and preparation. Putting aside how the whole episode could have and should have been prevented by responsible operations by Freedom Industries, the water crisis, along with the subzero cold snap, Superstorm Sandy and the derecho have given West Virginia residents repeated lessons on the need for preparedness when our normal safe supplies of electricity, food, water or other necessities are interrupted in a crisis.

### **HUNTINGTON HERALD DISPATCH**

Water ban lifted for Culloden and much of Putnam County CHARLESTON – The “do not use” water order has been lifted for 12,200 more West Virginia American Water customers early this morning, including Culloden, bringing the total number of customers for which the order has been lifted to 70,000, according to a press release. The most recent areas to be lifted included Culloden, Hamlin, Cross Lanes, Poca, Nitro and all Boone County customers. Please consult the online map to determine your status. An interagency team including the W.Va. Bureau for Public Health, West Virginia American Water and U.S. Army Corps of Engineers announced that extensive testing produced results showing that levels of MCHM are below one part per million (1 ppm). According to the Centers for Disease Control: “At this time, scientists continue to recommend 1 ppm as a protective level to prevent adverse health effects. However, due to limited availability of data, and out of an abundance of caution, you may wish to consider an alternative drinking water source for pregnant women until the chemical is at non-detectable levels in the water distribution system.” The ban is being lifted in a strict, methodical manner to help ensure the water system is not overwhelmed by excessive demand – causing more water quality and service issues. Zones have been established based on the flow of water from the treatment plant through the system. West Virginia American Water is communicating the lift area statuses through a variety of sources including an interactive webpage where customers can enter their address and see their water service status. This map is accessible at [www.westvirginiaamwater.com](http://www.westvirginiaamwater.com). To supplement the web-based map, automated phone calls using our company customer database will be launched in coordination with lifted zones. A temporary local 24/7 hotline has been established at 855-390-4569 for additional clarification. All other questions should be directed to our Customer Service Center at 1-800-685-8660.

### **PARKERSBURG NEWS AND SENTINEL**

Rahall, Capito push for hearing on spill WASHINGTON - Two representatives from West Virginia are asking for a congressional hearing on the chemical spill in Kanawha County that

disrupted water service to 300,000 customers in nine counties. The request was by Rep. Nick Rahall, D-3rd, and Rep. Shelley Moore Capito, R-2nd, to the House Transportation and Infrastructure Committee. Rahall is the ranking Democrat on the Transportation Committee, which has jurisdiction over emergency response, the Clean Water Act and the Corps of Engineers. The leak occurred last week at the Freedom Industries coal preparation plant on the Elk River, about 2 miles upstream from a West Virginia American Water Co. treatment plant. A state of emergency was declared, residents were told not to drink, wash or cook with the water. Some restrictions were lifted and an investigation is underway. Capito also is a member of the House Transportation and Infrastructure Committee. "I'm pleased that Chairman (Bill) Shuster has agreed to hold this hearing, and a date and a witness list will be released in the coming weeks," she said.

### **WEST VIRGINIA METRO NEWS**

Coming down the home stretch **CHARLESTON, W.Va.** — West Virginia American Water Company has now lifted the Do Not Use water order for more than 70,000 of its 90,000-plus customers in parts of nine counties. The company and testing teams made significant progress Wednesday night and early Thursday morning. The new lifted zones include:

- eastern Kanawha County (Riverside High School attendance area)
- all of Boone County, Culloden, Hamlin, Cross Lanes, Poca, Nitro and Dutch Hollow
- several smaller, isolated pressure zones including Brynwood-Elk River, Beacon Ridge, Brook Hill, Credemont, Crestwood, Milliken, Mile Fork, Coopers Creek, Jarrell Addition, Jenkins Hollow and Eagle View.
- the Mount Alpha and Lower Donnally areas of Charleston

The spill of an estimated 7,500 gallons of crude MCHM, 4-methylcyclohexane methanol occurred last Thursday from the Freedom Industries Plant 1.5 up the Elk River from WVAVC's large Kanawha Valley Water Plant.

### **ASSOCIATED PRESS (W. VA.)**

Company behind W.Va. spill faulted at backup site, too **CHARLESTON, W.Va.** — The company responsible for the chemical spill in West Virginia moved its chemicals to a nearby plant that already has been cited for safety violations, including for a backup containment wall that had holes in it. As a result, state officials might force the company to move the chemicals to a third site. Inspectors on Monday found five safety violations at Freedom Industries' storage facility in Nitro, about 10 miles from the spill site in Charleston. The spill contaminated the drinking water for 300,000 people, and about half of them were still waiting yesterday for officials to lift the ban on tap water. The West Virginia Bureau for Public Health issued a statement yesterday evening advising pregnant women not to drink the water "until there are no longer detectable levels" of 4-methylcyclohexane methanol, a chemical used in coal processing. The statement said the agency was making the recommendation "out of an abundance of caution" after consulting with the U.S. Centers for Disease Control and Prevention. The state Department of Environmental Protection ordered Freedom Industries on Friday to move all of its chemicals to the Nitro site. According to a report from the department, inspectors found that, like the Charleston facility, the Nitro site's last-resort containment wall had holes. The report described the site's wall as "deteriorated or nonexistent." Freedom Industries said the building's walls acted as a secondary containment dike, but state inspectors disagreed. The walls had holes in them near ground level, and the holes lead out to a storm-water trench surrounding the

structure's exterior, the report said. The facility had no documentation of inspections of the Nitro site. Nor did it have proof of employee training in the past 10 years, the report said. Environmental Protection spokesman Tom Aluise said the state could force Freedom to move the chemicals to a third site, or to build secondary containment structures at the Nitro facility. He said the department will issue an administrative order this morning detailing what will be required. A spokeswoman for Freedom Industries said the company didn't want to comment. Keith Beneker, the Nitro plant manager, did not answer a phone call.

Rahall: House panel plans hearing on W.Va. spill CHARLESTON, W.Va. (AP) — U.S. Rep. Nick Rahall says a House committee will hold a hearing in Charleston on a chemical spill that tainted the water supply in nine counties. The West Virginia Democrat says the House Transportation and Infrastructure Committee plans to hold the hearing in the coming weeks. Rahall is the top Democrat on the committee. He says in a news release that he requested the hearing. A chemical used in coal processing spilled last Thursday in the Elk River from a Freedom Industries facility in Charleston. Tens of thousands of West Virginia American Water customers are still awaiting word on when they can resume using tap water after flushing out their systems. Those customers remain under a "do not use" order restricting tap water use only to flushing toilets.

W.Va. colleges to resume operations after spill CHARLESTON, W.Va. (AP) — Several Charleston-area colleges are reopening their campuses following a recent water emergency. West Virginia State University in Institute and Marshall University's South Charleston campus and Teays Valley Regional Center will resume operations on Wednesday. West Virginia State says the university remained under an order not to use tap water Tuesday and is providing bottled water on campus. Orientation for new students will be held on Thursday and the spring semester is scheduled to start next Tuesday. The University of Charleston says it plans to resume normal operations Thursday. Residence halls will be open to students starting at 5 p.m. Wednesday. About 100,000 West Virginia American Water customers in nine counties were told not to use tap water except for flushing toilets after a chemical spill Thursday in the Elk River.

Pregnant? Bottled water recommended CHARLESTON, W.Va. -- State health officials late Wednesday advised pregnant women who get their water from West Virginia American Water's Charleston-based system to drink only bottled water until levels of the chemical "Crude MCHM" are not detected at any level.

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## MARYLAND

### **BALTIMORE SUN**

Maryland moves to cut carbon from power plants Action part of Northeast regional effort to halve emissions by 2020. Maryland and eight other Northeast states are moving to crank down on climate-altering emissions from power plants, aiming to lock in and continue reductions that have already occurred over the past several years as a result of coal-burning plants switching to natural gas, a weak economy and improved energy efficiency.



## **CHESAPEAKE BAY JOURNAL**

Blog: Finally, some good news for Sparrows Point A federal judge Tuesday granted the long-suffering residents of Baltimore's Sparrows Point a small reprieve when he ordered additional testing for the waterways around the once-bustling steel mill. U.S. District Court Judge Frederick Motz had once ruled that one of the many previous owners of the plant had to do only minimal testing on Bear Creek, which is known to have benzene, lead, chromium, zinc and naphthalene in its waters and sediments. Several citizens and environmental groups, including the Chesapeake Bay Foundation and Blue Water Baltimore, filed a lawsuit hoping to force the plant's owners to clean up the 2,300-acre site and do comprehensive tests. This week, Motz vacated his previous ruling, which could pave the way for further tests. CBF made sure that, when the company was sold again and liquidated in 2012, an agreement was in place for a robust cleanup. The new owners agreed to set aside \$500,000 to investigate contaminants, as the Bay Journal reported then. "There is clear scientific evidence that there is toxic pollution in Bear Creek extending hundreds of feet from the steel plant. The residents of the area, and those who boat and fish there have a right to know what is in the water and sediment and whether those pollutants are harmful to their health or the environment," said CBF President William C. Baker.

Blog: DC Water turns to private firms for green infrastructure projects Seven proposals to creatively reduce stormwater runoff in spaces throughout the District of Columbia were named winners in DC Water's Green Infrastructure Challenge last week. The projects included ideas to install "blue roofs" on a strip of historic Georgetown buildings or use inverted café umbrellas to collect and filter rainwater. One project would put underused triangular park spaces in the District to work as green water filtration systems and another would do the same for alleyways, curbsides and tree boxes. All seven finalists now have the opportunity to submit responses to a request for proposal that will be issued shortly. One or more of the seven finalists' projects will be fully designed and constructed with funds from DC Water, which will award more than \$1 million total to the projects. George Hawkins, general manager for DC Water, said projects like these are an emerging piece of the District's overarching plan for reducing combined sewer overflows. DC Water is still "on time and on budget," Hawkins said, with its \$1.6 billion tunnels project to create an underground system that can store polluted stormwater runoff that the existing system cannot handle. The opportunity for investing in green infrastructure like innovative stormwater controls, Hawkins added, goes hand-in-hand with these tunnel projects. Green projects above ground could help reduce the load on unconstructed portions of the massive tunnel project currently underway. "We are about to invest more than \$1 billion in this city for solutions that will last (another) hundred years," Hawkins said. "We want to be absolutely sure we get it right."

## **SALISBURY DAILY TIMES**

SUNDAY EDITORIAL: Find common ground in Annapolis Shore progress requires collaboration across the bridge. "No man's life, liberty or property are safe while the legislature is in session," goes the old saying often incorrectly attributed to Mark Twain. Well, the General Assembly is in session in Annapolis for the next three months, and no doubt a number of Eastern Shore residents are worried about the status of their lives, their liberty and their property. Here on the eastern side of the Chesapeake Bay Bridge, there is a distinct sense that delegates and senators in the state capital heed little the concerns of Eastern Shore leaders and residents. There is a real concern that the needs of urban Baltimore and heavily suburban counties along

Interstate 95 trump the needs of the much-less-populated areas of the state that include the Shore and western Maryland. There is no doubt some truth to that. Power in a democracy comes from numbers, and the greatest numbers, population wise, are not in Salisbury, Princess Anne or Easton. That makes getting local issues heard clearly in Annapolis a true challenge. Yet it is not an impossible one. What's needed is persistence, public relations strategy and a reasonable amount of patience. In addition, Shore delegates and senators need to step up their efforts to find common ground with their counterparts from more populous areas of the state. One hindrance to progress is that Shore legislators sometimes find it easier to preach to their local choir about the wrongheadedness of Annapolis (and Washington) rather than roll up their sleeves and make incremental progress on very complex issues. As a result, local voters often re-elect officials who speak their language on key issues, but don't necessarily get better results. The same is true in the nation's capital. Urban liberals tend to complain to their diverse constituents that Washington doesn't care about their needs. And rural conservatives do the same when talking to farmers and small-town residents. Yet both groups of legislators sometimes struggle to achieve productive steps that might help their voters economically or otherwise.

### **SOUTHERN MARYLAND NEWS**

Landowner protects watersheds with conservation easement A 25-acre forested site in the environmentally critical McIntosh Run watershed has been permanently preserved thanks to Vivian Marek, who donated a conservation easement on the St. Mary's County property to Patuxent Tidewater Land Trust and Maryland Environmental Trust in December 2013. Vivian says she's loved the property on Newtowne Neck Road near Leonardtown ever since her parents bought it in the early 1950's. "I always wanted the place to remain as it was, especially after the development around it," Vivian says. By donating a conservation easement to the land trusts, the Marek family's legacy will be preserved for the benefit of future generations. The conservation easement permanently protects the site from being developed. Its woods of sweetgum, holly, oak and beech trees are threaded with small sand and gravel-bed streams, headwaters for the McIntosh Run tributary to the Breton Bay. Nearly 90% of the site is forested. Those acres of unbroken woods prevent erosion and protect water quality, and provide habitat for many species of forest interior-dwelling birds and other wildlife. From the road, the scenic views of the woods are reminders of the timeless value of St Mary's historic landscape. The Marek preserve is especially important because of its location within the McIntosh Run watershed. "The McIntosh Run watershed is extraordinary in St. Mary's County. Despite the region's continued development, it remains an ecologically intact watershed that protects water quality and provides habitat for rare aquatic and terrestrial species," said Susan Charkes, Executive Director of Patuxent Tidewater Land Trust. PTLT has been working with Maryland Environmental Trust, as well as US Fish & Wildlife Service and Maryland's Wildlife & Heritage Service, to protect the watershed.

Commentary: Save the Bay, Save Ourselves My friend Meredith stopped me as I recounted a favorite Bay of yore story—about wading decades ago in lush seagrass beds that so cleansed and cleared the shallows you could see to dip crabs sequestered there to shed their shells. I noted that we could bring back these conditions by reducing runoff of fertilizers and dirt from the land, which would also reduce summer "dead zones" of oxygen-starved water in the channels. Meredith's an experienced environmental lawyer who got the ecological truth I was voicing; but now she's mother to Grace, 3, and Nicholas, several months. And the Bay question

she gets from her current social circle along the Choptank River on Maryland's Eastern Shore is this: "Is it safe for my kids to swim?" Decades into the Chesapeake restoration, our focus continues on curtailing "eutrophication" by reducing the nutrients nitrogen and phosphorus that overfertilize the water, clog it with floating algae, rob light from the seagrasses and quench aquatic oxygen. We must continue with this; but it will take a deeper and wider engagement from citizens across the six-state watershed. And perhaps the long-gone seagrasses won't resonate to generations for whom the Bay of my Vietnam-era memories is as remote as the Bay of World War I is to me. One opportunity to build a bigger constituency for restoration is to connect human health to Bay health. The overlaps between the two range from diet to climate change to air quality, to an array of toxins bad for both fish and us. To get a sense of the issue, consider that the Bay and its rivers are riddled with health advisories limiting the consumption of everything from eels and striped bass to catfish and blue crabs to sport fish throughout Pennsylvania. Another example where we might get more traction: Reducing air pollution further is regarded as a relatively expensive way to cut Bay pollution, even though airborne nitrogen is a significant bay pollutant. But what if Bay managers and environmental educators included the benefits to human health, children especially, of reducing air pollution? The EPA estimates their value to Eastern states that include our watershed at \$120 billion?

### **BALTIMORE BREW**

Blog: Judge approves wider study of pollution around Sparrows Point A federal judge has vacated his 2011 decision to severely limit the testing of water for toxic chemicals around the now-closed Sparrows Point steel mill. Following an appeal to the Fourth Circuit Court of Appeals by the Chesapeake Bay Foundation and Blue Water Baltimore, Maryland District Court Judge J. Frederick Motz will permit environmental testing in the Patapsco River and Bear Creek beyond the previously-stipulated 50-foot-offshore boundary of the ex-steel mill. The CBF has argued that there is clear scientific evidence of toxic pollution in the harbor extending hundreds of feet from the mill, including benzene that had migrated to other parts of the harbor. Bottom-dwelling aquatic creatures have died when exposed to sediment pulled from Bear Creek 1,000 feet offshore, CBF has reported. More than 40,000 people live near Sparrows Point, many along Bear Creek in Dundalk and Turners Station, as well as in Edgemere, Ft. Howard and, across the harbor, in Anne Arundel County. The area is a popular destination for recreational boating, fishing and crabbing. "The residents of the area, and those who boat and fish there have a right to know what is in the water and sediment and whether those pollutants are harmful to their health or the environment," CBF President William Baker said in a statement today. Judge Motz's order clears the way for a comprehensive investigation of contamination in the offshore areas adjacent to Sparrows Point, "which will help to ensure the eventual remediation of all of the legacy contamination," David Flores, Baltimore Harbor Waterkeeper for Blue Water Baltimore, added. CBF and Blue Water Baltimore contend that the steel plant dumped thousands of tons of contaminated wastes into the harbor without a permit, in violation of the federal and state laws. In addition to benzene, the wastes included chromium, naphthalene, lead, mercury, copper and zinc

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## VIRGINIA

## **RICHMOND TIMES-DISPATCH**

Petersburg begins campaign to stop litter in storm drains Petersburg's public works department began a monthslong program Monday to put "Don't Pollute" stickers on storm drains in Olde Town as part of a campaign to make residents aware of how much damage litter causes. "It is a challenge. We have a lot of trash that is being thrown onto our streets that, as a result, goes into our storm drainage system," said Steven Hicks, Petersburg's director of public works. Hicks said trash dumped into or near storm drains winds up clogging the drainage system, which, in turn, contributes to flooding. That's in addition to straining both the department and the city's budget, he said. The public works department has a dedicated crew of workers going into the city's sewers to clean out garbage. Those workers, Hicks said, are needed elsewhere and could be out filling potholes, repairing sidewalks or cutting grass. And, he said, the city has bought a Jet truck for \$300,000 to blow out debris that's compacted inside the system like cholesterol clogs arteries.

Tests find water is safe at Sandston site Tests of two wells near a Sandston site undergoing a federal pollution investigation found that the water was safe, state and Henrico County officials say. ut officials of the U.S. Environmental Protection Agency said their probe will continue, looking into the possibility that dangerous vapors are seeping into homes from underground. The overall investigation could last three to six months, EPA spokeswoman Bonnie Smith said Wednesday. "We are moving ahead with this." The EPA is investigating whether people in a roughly one-block area at East Williamsburg Road and Garland Avenue are exposed to tetrachloroethene, an industrial chemical suspected of causing cancer. The EPA said last week that it was examining that area because a contractor's nearby test well found high concentrations of the chemical — also called tetrachloroethylene, perchloroethylene, perc and PCE — in underground water. Smith said Henrico officials late last week requested tests of the two wells just outside the study area. Representatives from an EPA contractor and Virginia's health department met at the sites Saturday to get the samples, Smith said. Smith declined to reveal the test results, saying the well owners had not been informed. One well was in the 100 block of North Raines Avenue, and the other was in the 100 block of East Williamsburg Road, according to county officials. Henrico Board of Supervisors member Tyrone Nelson, whose Varina district includes Sandston, said during a board meeting Tuesday night, "Both wells tested negative and are safe for use." Had the tests found high concentrations of PCE, officials had planned to connect the affected homes to the county water supply, which is unaffected, until the situation was sorted out, Nelson said. "This is an EPA investigation and project, but these are Henrico County citizens, and we want to make sure we take good care of our citizens," Nelson said. Nelson said the tested wells were within 1,000 feet of the EPA's study area. Bill Hayden, a spokesman for the state Department of Environmental Quality, said a state lab tested the water and provided the results Monday. One well test found no PCE, and the other showed a concentration well within the health limit, he said. The EPA passed out fliers last week asking for anyone with wells in the study area to contact the agency so their water could be tested. The EPA's Smith said Wednesday that she knew of no one with a well who had responded. "The information we have is that there are no wells in that study area," she said. In addition to tainting drinking water, underground pollution by PCE also can create vapors that seep into homes. Next, Smith said, the EPA will ask people in the study area if the agency can test for dangerous vapors in the crawl spaces or basements of their homes. The source of the Sandston pollution is unknown. PCE is used in some dry cleaning operations as well as industrial solvents and grease

cleaners. PCE pollution is sometimes decades old, having occurred when laws were less strict.

### **NORFOLK VIRGINIAN-PILOT**

Tax on disposable grocery bags again goes nowhere RICHMOND -- A perennial attempt to impose a tax on disposable grocery bags met its usual fate in a House of Delegates subcommittee Wednesday: It went nowhere. Del. Joe Morrissey's local-option bill ([HB117](#)) would have allowed localities to levy a 5-cent tax on paper or plastic bags. The intent of the measure was not to raise revenue, the Henrico County Democrat told the panel, but to discourage use of disposable bags because of their environmental impact. The bill drew support from environmentalists and opposition from business interests. The subcommittee tabled it unanimously, meaning it will go no further.

Senate panel advances bill to repeal hybrid-car fee RICHMOND -- A Senate committee Wednesday approved legislation to eliminate a controversial \$64 annual fee on hybrid vehicles created in last year's transportation funding overhaul bill. Lynchburg-area Sen. Steve Newman's [SB127](#) to eliminate that surcharge and provide refunds to motorists who already paid it cleared the Senate Finance Committee on a 10-5 vote. The bill, one of several hybrid-related bills being considered, is headed toward a full Senate vote. A proposal to reduce the fee to \$40 was defeated. The hybrid fee is a small revenue component of the landmark transportation bill approved last year to raise more than \$1 billion annually for state road and transit needs through new taxes. It was originally set at \$100 in the bill that passed the General Assembly, then reduced to \$64 by then-Gov. Bob McDonnell amid public outcry. At the current rate, the fee is estimated to raise \$11 million annually for Virginia. Sen. Frank Wagner, R-Virginia Beach, also filed a bill to repeal the fee. He said House negotiators last year inserted it into a fragile compromise version of the omnibus funding bill. Although opposition to it existed then, Wagner said lawmakers supportive of the overall plan chose not to "upset the apple cart" at that stage for fear of jeopardizing the bill.

### **ROANOKE TIMES**

Region's water-supply safety becomes concern after spill in West Virginia When a toxic chemical was sucked into the West Virginia Water Co.'s treatment plant on the Elk River in Charleston, confused customers called the Western Virginia Water Authority in Roanoke to find out whether it was safe to drink the water. Though hundreds of miles, a state border and many mountains separate the two water companies, customers still want to know whether what happened in West Virginia can happen in western Virginia. Those seeking assurance that Virginia exercises more oversight than its neighbor on chemical storage plants are in for a disappointment. "We don't have a role in that," said Bill Hayden, spokesman for the Virginia Department of Environmental Quality. "State building code is responsible for regulating chemical storage tanks, and that is up to the localities." Industrial facilities are required to report the use of toxic chemicals and how much, if any, is released into the environment to the DEQ, he said, but the agency does not inspect facilities and has no involvement beyond issuing permits to industries that discharge into streams. Neil Holland, Roanoke's acting building commissioner, said that current code requires above-ground storage tanks to be constructed in buildings with sprinkler systems and that the area is calculated to be large enough to contain spills. However, older systems built to the codes of their day are under no obligation to meet today's standards, nor are they subject to inspections by building code officials. The sites are catalogued by the

state Department of Health's Office of Drinking Water. "When ODW conducts source water assessments, we look for various sources of pollution, but we don't regulate those sources," said John Aulbach, the department's director. Each water authority has regional source water protection plans that meet health department and U.S. Environmental Protection Agency requirements. The plans identify industries and possible pollution sources. As new plants open, downstream water systems are notified, said Caleb Taylor, executive director of the NRV Regional Water Authority.

Radford arsenal fined \$16,000 over brief high emissions in 2012 he Radford Army Ammunition Plant was fined \$16,000 earlier this month by the state Department of Environmental Quality after it self-reported an issue that caused high levels of air pollution to temporarily flow from the plant's smokestacks in 2012. The order marks at least nine times the plant has been found in violation of environmental regulations by the DEQ since 2003. The most recent citation came after the plant experienced an increased demand for steam about 2 a.m. on Oct. 26, 2012, according to plant spokesman Charlie Saks. Steam is primarily used on the 7,000-acre military installment to produce weapons-grade explosives and propellants. Volatile chemicals can't be heated with electricity because of the risk of sparks, so Saks said steam is used for most processes. The plant's boilers that create the steam usually run off burning coal. But when they needed extra firepower to meet the increased demand in 2012, a backup system that feeds oil into the boilers was switched on, according to Saks. A defect on the oil injectors caused a problem that led to the high levels of emissions coming out of the smokestacks, he said. According to an order from the DEQ, sensors that monitor the opacity of the emissions recorded readings as high as 89.6 percent opacity, well above the 60 percent limit. The problem persisted for less than 20 minutes and the plant reported the incident the following month, according to the order. The final agreement specifying a \$16,363 fine was signed by the base commander on Jan. 2 this year. The oil injectors that caused the problem have been repaired, Saks said. The ammunition plant has a long history of environmental issues and has routinely topped Virginia's annual toxic polluter list. The plant was fined \$20,000 in 2011 and in 2010 for releasing excessive carbon monoxide and lead into the air, respectively. he other six citations since 2003 involved fines from \$1,800 to \$7,000, either for improper record keeping or high acid levels in wastewater released into the New River, according to previous reports.

### **NELSON COUNTY TIMES**

Grant to assist landowners in boosting river's water quality State funding now is available for landowners in the upper Rockfish River watershed who wish to implement environmentally friendly, best management practices to help improve the water quality of the river. In November, the Thomas Jefferson Soil and Water Conservation District was given a grant of \$215,818 from the Virginia Department of Environmental Quality to be used to implement both residential and agricultural practices to help clean up the river, parts of which are listed on DEQ's Impaired Waters List. The grant, which is good through November 2015, is to be used in the upper Rockfish River watershed, or the area upstream of Woods Mill, of which about 80 percent is forested. "The grant has made money available to Nelson residents — that wouldn't otherwise be available — to do work on their own property, of their own choice," said Emily Nelson,

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# MISCELLANEOUS

## **BNA DAILY ENVIRONMENT REPORT**

West Virginia Chemical Spill Prompts Suit Against Eastman Chemical Eastman Chemical Co., maker of the chemical that contaminated the Elk River after leaking from a Freedom Industries facility in Charleston, W.Va., is sued by local businesses and residents who claim the company concealed the chemical's cancer risk. Safety data sheets issued by Kingsport, Tenn.-based Eastman Chemical for the coal-processing chemical 4-methylcyclohexane methanol failed to disclose its carcinogenic and toxicity risks, according to a complaint that alleges violations of multiple U.S. environmental laws.

EPA Defense of Fracking Investigations Fails to Placate NRDC The EPA will continue working with states to investigate and prevent groundwater contamination from shale gas drilling, Administrator McCarthy says in a letter to Frances Beinecke, president of the Natural Resources Defense Council, who had accused the EPA of “a troubling trend of abandoning investigations of hydraulic fracturing before they are completed.” An NRDC attorney says the letter “reiterates the, frankly, lame non-explanations that EPA has previously proffered.”

EPA Rule Authorizes Use of Electronic Manifests for Hazardous Waste The EPA releases a final rule that authorizes the use of electronic manifests to track hazardous waste shipments under the Resource Conservation and Recovery Act. EPA Administrator McCarthy signs the final rule to launch a system that the agency says could save \$75 million and more than 300,000 hours of regulatory burden.

FirstEnergy Agrees to Share Emission Control Plans With Shareholders FirstEnergy Corp., one of the largest electric utilities in the U.S., reaches an agreement with shareholders to report on its plans for reducing greenhouse gas emissions. The company's pledge comes in response to a shareholder resolution filed in the fall of 2013 by New York State Comptroller Thomas DiNapoli, Connecticut Treasurer Denise Nappier on behalf of the Connecticut Retirement Plans and Trust Funds, and shareholder advocacy group As You Sow.

## **GREENWIRE**

EPA: Political chops the hallmark of McCarthy's team (*Third in a series.*) U.S. EPA has a packed agenda this year. The agency is quarterbacking the administration's climate plan, fending off attacks from Congress and trying to repair its image after years of getting accused by its critics of overreaching. Administrator Gina McCarthy has put together a seasoned team of political operatives, Capitol Hill veterans and policy experts to lead the effort from within her office. That involved promoting some EPA staffers to prime posts and bringing in backup from outside headquarters. They'll all play major roles in 2014 as EPA prepares to finalize a controversial rule to curb carbon dioxide emissions from new power plants and roll out a draft

rule to limit emissions from existing utilities as part of the administration's climate plan. That's on top of continuing work on clean water policies, a study on the effects of hydraulic fracturing and regular air pollution reviews. And they'll be working to shepherd top officials through Senate confirmation and play defense against congressional efforts to hamstring their agency's regulations. Here's a look at some of the key staffers who will be working behind the scenes to help McCarthy advance her agenda this year.

**Tom Reynolds, associate administrator for external affairs and environmental education -**

Reynolds is the EPA administrator's top communications adviser. His job involves managing a staff of several dozen career and political staff who handle everything from EPA's Twitter accounts to McCarthy's speeches. The offices within the Office of External Affairs and Environmental Education are charged with responding to press requests and developing strategic communications plans for the agency, maintaining a social media presence, and preparing EPA's top brass for media interviews. Reynolds also oversees EPA's public engagement and environmental education efforts. His goals for 2014 include "aggressively promoting the president's Climate Action Plan, driving the conversation that acting on climate change can be a huge economic driver for innovation and job creation, and re-branding the EPA as an agency that has real positive impacts in communities around the country," he said in an email.

Leaked document shows Obama admin rollback of enviro protections -- green groups The Obama administration is rolling back progress on environmental efforts as wide-ranging as oceans and forestry protections in a trade deal currently being negotiated with Pacific Rim countries, environmental groups said today. Rather than including binding agreements to address issues such as illegal logging and wildlife crime, the pact relies on cooperative mechanisms and lacks meaningful enforcement measures, the groups said after a draft of the deal's environment chapter was leaked today by the group WikiLeaks. "If the environment chapter is finalized as written in this leaked document, President Obama's environmental trade record would be worse than George W. Bush's," said Michael Brune, executive director of the Sierra Club. "This draft chapter falls flat on every single one of our issues." The Trans-Pacific Partnership (TPP) is being negotiated among the United States, Japan, Mexico, Canada, Australia, Malaysia, Chile, Singapore, Peru, Vietnam, New Zealand and Brunei. It would boost trade and investment between the nations, increasing the export market for the United States. Combined, the countries represent 40 percent of global gross domestic product and one-third of world trade. The Office of the U.S. Trade Representative did not respond to a request for comment on the leaked document, which has been kept secret until now. In public appearances, U.S. Trade Representative Michael Froman has pushed for the inclusion of strong environmental and conservation measures in the deal.

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Analysis: Budget bill shows conservative restraint WASHINGTON (AP) - At an unlikely-to-be-read 1,582 pages, Congress' \$1.1 trillion spending bill is precisely the sort of massive legislation that Republicans criticized when they successfully sought power three years ago in the House. Then add to that the funding included for the implementation of "Obamacare," a particularly galling defeat for the tea party and its supporters who pushed the government into a partial shutdown last fall in an attempt to cut off all support for the health care law. Yet at its core, the legislation cements the most fundamental accomplishment to date by conservatives in three



tumultuous years of divided government. Combined spending for thousands of routine government programs is in a general decline, and it will take a clean sweep by Democrats in some future election before the restraints are likely to be lifted....A Democratic summary noted that Republicans had failed in their attempt to block the Justice Department from using funds to challenge state immigration laws, and in their bid to block the administration from issuing certain types of pollution limits on electric utilities.